

Feb 03, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DIANA I.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

NO: 1:19-CV-3125-FVS

ORDER GRANTING STIPULATED  
MOTION FOR REMAND

BEFORE THE COURT is the parties' Stipulated Motion for Remand pursuant to sentence four of 42 U.S.C. §405(g). ECF No. 11. The Plaintiff is represented by Attorney D. James Tree. The Defendant is represented by Special Assistant United States Attorney Sarah E. Moum.

After consideration, **IT IS HEREBY ORDERED** that the Stipulated Motion for Remand, ECF No. 11, is **GRANTED**. The Commissioner's final decision is reversed and remanded for further proceedings pursuant to sentence four of 42 U.S.C. §405(g). Upon remand to the Commissioner of Social Security, the Appeals Council should remand this case to the Administrative Law Judge

1 (ALJ) for a de novo hearing and a new decision. On remand, the ALJ shall (1)  
2 further evaluate Plaintiff's impairments at step two; (2) reevaluate the opinion  
3 evidence; (3) reevaluate Plaintiff's subjective allegations; (4) reevaluate the RFC;  
4 (5) further evaluate Plaintiff's ability to perform her past relevant work; and (6) if  
5 warranted, obtain supplemental vocational expert evidence.

6 The parties stipulate that this case be reversed and remanded to the ALJ on  
7 the above grounds pursuant to sentence four of 42 U.S.C. § 405(g). Therefore, the  
8 matter is remanded to the Commissioner for additional proceedings pursuant to  
9 sentence four 42 U.S.C. 405(g). Upon proper presentation, this Court will consider  
10 Plaintiff's application for costs and attorney's fees under 28 U.S.C. § 2412(d).

11 It is **FURTHER ORDERED** that Plaintiff's Motion for Summary  
12 Judgment, **ECF No. 8**, is **DENIED** as moot, given the parties' motion for remand.

13 The District Court Executive is hereby directed to enter this Order and provide  
14 copies to counsel, enter judgment in favor of the Plaintiff, and **CLOSE** the file.

15 **DATED** February 3, 2020.

16  
17 *s/ Rosanna Malouf Peterson*  
18 ROSANNA MALOUF PETERSON  
19 United States District Judge  
20  
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